

DOCUMENT RESUME

ED 232 201

CS 207 753

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TITLE Objectivity and the Ideology of News.
PUB DATE Mar 83
NOTE 17p.; Lecture delivered at an "Ethics in Journalism" Seminar (University of Minnesota, March 3-4, 1983).
PUB TYPE Speeches/Conference Papers (150) -- Viewpoints (120)
EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Bias; Court Litigation; *Ethics; *Freedom of Speech; *Journalism; *News Reporting; News Writing; *Social Responsibility

ABSTRACT

A 1977 Court of Appeals decision, "Edwards v. National Audubon Society," outlined the principle of "neutral reportage": the press is not required to suppress newsworthy statements by public officials merely because the truth of those statements is doubtful. The author outlines this court case because it illustrates so well the consequences of the ethic of objectivity that has developed in journalism since the rise of the mass press in the 1800s. Originally a response to economic pressures, objectivity has become an ideal to strive for. In an effort to remain free from unrecognized prejudgments, journalists have concentrated on reporting rather than interpreting news, using themselves largely as vehicles for their sources' arguments, rebuttals, explanations, and criticisms. Nevertheless, their reporting reveals bias. In relying on official sources, reporters favor the prominent and established. Trying to record rather than interpret, journalists undervalue independent thinking as they obscure their own role in choosing and editing news. This ethic of objectivity is founded on a naive belief in a single reality derived from empirical facts. American journalism will not become truly responsible until it recognizes that facts and values are inseparable. (MM)

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ED232201

OBJECTIVITY AND THE IDEOLOGY OF NEWS

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I would like to begin by outlining my conclusions and then, given the constraints of time, try to explain how I arrived at those conclusions.

First, let me define a few terms. By objectivity I mean something broader and more encompassing than impartiality and fairness. By objectivity I mean a particular view of journalism and the press, a frame of reference used by journalists to orient themselves in the newsroom and in the community. By objectivity I mean, to a degree, ideology; where ideology is defined as a kind of secular religion, a set of beliefs that function as the journalist's "claim to action."

As a set of beliefs, objectivity appears to be rooted in a positivist view of the world, an enduring commitment to the supremacy of observable and retrievable facts. This commitment, in turn, impinges on the newspaper's principal commodity--the day's news. Thus my argument, in part, is this: today's news is indeed biased--as it must inevitably be--and this bias can be best understood by understanding the concept, the conventions, and the ethic of objectivity.

Lecture delivered at an "Ethics in Journalism" seminar co-sponsored by Augsburg College and the University of Minnesota's Minnesota Journalism Center, March 3-4, 1983.

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Specifically, objectivity in journalism accounts for--or at least helps us understand--three principal developments in American journalism; and each of these developments contributes to the bias or ideology of news. First, objective reporting is biased against what the press typically defines as its role in a democracy--that of a Fourth Estate, the watchdog role, an adversary press. Indeed, objectivity in journalism is biased in favor of the status quo; it is inherently conservative to the extent that it encourages reporters to rely on what sociologist Alvin Gouldner so appropriately describes as the "managers of the status quo"--the prominent and the elite. Second, objective reporting is biased against independent thinking; it emasculates the intellect by treating it as a disinterested spectator. Finally, objective reporting is biased against the very idea of responsibility; the day's news is viewed as something journalists are compelled to report, not something they are responsible for creating.

This last point, I think, is most important. Despite a renewed interest in professional ethics, ethics in journalism continue to evade questions of morality and responsibility. Of course, this doesn't mean that journalists are immoral. Rather, it means that journalists today are largely amoral; and certainly the amorality of journalism is central to a seminar devoted to the subject of journalistic ethics.

My main conclusion is simply this: objectivity in journalism effectively erodes the very moral foundation which rests on a responsible press.

It may seem somewhat of a paradox for me to argue that the ethic of objectivity undermines ethics in journalism. But I hope to demonstrate that this is not a paradox at all because, in the end, objectivity is not an ethic.

The Concept and Conventions of Objective Reporting

By most any account of the history of objectivity in journalism--and there have been many--objective reporting began more as a commercial imperative than as a standard of responsible reporting. With the emergence of a truly popular press in the mid-1800s--the penny press--a press neither tied to the political parties nor the business elite, objectivity provided a presumably disinterested view of the world.

But the penny press didn't literally cause objective reporting. It was one of many social, economic, political, and technological forces that converged in the mid and late 1800s to bring about fundamental and lasting changes in American journalism. There was the advent of the telegraph, which for the first time separated communication from transportation. There were radical changes in printing technology, including the steampowered press and later the rotary press. There was the formation of the Associated Press, an early effort by publishers to monopolize a new technology--in this case the telegraph. There was, finally, the demise of community and

the rise of society; there were now cities, properly defined as "human settlements" where "strangers are likely to meet."

These are some of the many conditions that created the climate for objective reporting, a climate best understood in terms of the emergence of a new mass press and the need for that press to operate efficiently in the marketplace.

Efficiency is the key term here, for efficiency is the central meaning of objective reporting. It was efficient for the Associate Press to distribute only the "bare facts," and leave the opportunity for interpretation to individual members of the cooperative. It was efficient for newspapers not to offend readers and advertisers with partisan prose. It was efficient--perhaps expedient--for reporters to distance themselves from the sense and substance of what they reported.

To survive in the marketplace, and to enhance its status as a new and more democratic press, journalists-- principally publishers, who were becoming a more and more removed from the editing and writing process--began to transform efficiency into a standard of professional competence, a standard later--several decades later--described in terms of objectivity. This transformation was aided by two important developments in early twentieth century: first, Oliver Wendell Holmes' effort to employ a marketplace metaphor to define the meaning of the First Amendment; and second, the growing popularity of the

scientific method as the proper tool with which to discover and understand an increasingly alien reality.

In a dissenting opinion in 1919, Holmes popularized the marketplace of ideas, a metaphor introduced by John Milton several centuries earlier. Metaphor or not, publishers took it quite literally. They argued--and continue with essentially the same argument today--that their opportunity to compete and ultimately survive in the marketplace is their First Amendment right, a Constitutional privilege. The American Newspaper Publishers Association, organized in 1887, led the cause of a free press. In the name of freedom of the press, the ANPA fought the Pure Food and Drug Act of 1906 on behalf of its advertisers; it fought the Post Office Act of 1912, which compelled sworn statements of ownership and circulation and thus threatened to reveal too much to advertisers; it fought efforts to regulate child labor, which would interfere with the control and exploitation of paper boys; it fought the collective bargaining provisions of the National Recovery Act in the mid-1930's; for similar reasons, it stood opposed to the American Newspaper Guild, the reporters' union; it tried--fortunately unsuccessfully--to prevent the wire services from selling news to radio stations until after publication in the nearby newspaper.

Beyond using the First Amendment to shield and protect its economic interests in the marketplace, publishers were also able to use the canons of science to justify--indeed, legitimate--the canons of objective reporting. Here publishers were comforted by Walter Lippmann's writings in the early 1920s, particularly his plea for a

new scientific journalism, a new realism; a call for journalists to remain "clear and free" of their irrational, their unexamined, their unacknowledged prejudgments.

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By the early 1900s objectivity had become the acceptable way of doing reporting--or at least the respectable way. It was respectable because it was reliable, and it was reliable because it was standardized. In practice, this meant a preoccupation with how the news was presented, whether its form was reliable. And this concern for reliability quickly overshadowed any concern for the validity of the realities the journalists presented.

Thus emerged the conventions of objective reporting, a set of routine procedures journalists use to objectify their news stories. These are the conventions sociologist Gaye Tuchman described as a kind of strategy journalists use to to deflect criticism, the same kind of strategy scientists use to defend the quality of their work. For the journalist, this means interviews with official sources; and it ordinarily means official sources with impeccable credentials. It means juxtaposing conflicting truth claims, where truth-claims are reported as "fact" regardless of their validity. It means making a judgment about the news value of a truth-claim even if that judgment only serves to lend authority to what is known to be false.

The Ethic of Objectivity

As early as 1924 objectivity appeared as an ethic, an ideal subordinate to only truth itself. That year, his study of the Ethics of Journalism, Nelson Crawford devoted three full chapters to the principles of objectivity. Thirty years later, in 1954, Louis Lyons, then curator for the Nieman Fellowship program at Harvard, was describing objectivity as a "rock-bottom" imperative. Apparently unfazed by Wisconsin's Senator McCarthy, Lyons portrayed objectivity as the ultimate discipline of journalism. "It is at the bottom of all sound reporting--indispensable as the core of the writer's capacity." More recently, in 1973, the 30,000 members of the Society of Professional Journalists, Sigma Delta Chi, formally enshrined the idea of objectivity when they adopted as part of their "code of ethics" a paragraph characterizing objective reporting as an attainable goal and a standard of performance toward which journalists should strive. "We honor those who achieve it," the Society proclaimed.

So well ingrained are the principles of objective reporting that the judiciary is beginning to acknowledge them. In a 1977 Court of Appeals decision, Edwards v. National Audubon Society, a case described by media attorney Floyd Abrams as a landmark decision in that it may prove to be the next evolutionary stage in the development of the public law of libel, a new and novel privilege emerged. It was the first time the courts explicitly recognized objective reporting as a standard of journalism worthy of First Amendment protection.

In what appeared to be an inconsequential story published in the New York Times in 1972--on page 33--five scientists were accused of being paid liars, men paid by the pesticide industry to lie about the use of DDT and its effect on bird life. True to the form of objective reporting, the accusation was fully attributed--to a fully identified official of the National Audubon Society. The scientists, of course, were given an opportunity to deny the accusation. Only one of the scientists, however, was quoted by name and he described the accusation as "almost libelous." What was newsworthy about the story, obviously, was the accusation; and with the exception of one short paragraph, the reporter more or less provided a forum for the National Audubon Society.

Three of the five scientists filed suit. While denying punitive damages, a jury awarded compensatory damages against the Times and one of the Society's officials. The Times, in turn, asked a federal District Court to overturn the verdict. The Times argued that the "actual malice" standard had not been met; in other words, since the scientists were "public figures," they were required to show that the Times knowingly published a falsehood or there was, on the part of the Times, a reckless disregard for whether the accusation was true or false. The evidence before the court clearly indicated the latter--there was indeed a reckless disregard for whether the accusation was true or false. The reporter made virtually no effort to confirm the validity of the National Audubon Society's accusations. Also the

story wasn't the kind of "hot news" (a technical term used by the courts) that required immediate dissemination; in fact ten days before the story was published the Times learned that two of the five scientists were not employed by the pesticide industry, and thus were not "paid liars."

The Times appealed to the Second Circuit Court of Appeals, where the lower court's decision was, in the end, overturned. In reversing the District Court, the Court of Appeals created a new First Amendment right, a new constitutional defense in libel law--the privilege of "neutral reportage." "We do not believe," the Court of Appeals ruled, "that the press may be required to suppress newsworthy statements merely because it has serious doubts regarding their truth." In other words, to quote the Court again, "the First Amendment protects the accurate and disinterested reporting" of newsworthy accusations "regardless of the reporter's private views regarding their validity."

I mention the details of the Edwards case only because it illustrates so well the consequences of the ethic of objectivity. First, it illustrates a very basic tension between objectivity and responsibility. Objective reporting virtually precludes responsible reporting, if by responsible reporting we mean a willingness on the part of the reporter to be accountable for what is reported. Objectivity requires only that reporters be accountable for how they report, not what they report. The Edwards Court made this very clear: "The public interest in being fully informed," the Court said, demands

that the press be afforded the freedom to report newsworthy accusations "without assuming responsibility for them."

Second, the Edwards case illustrates the unfortunate bias of objective reporting--a bias in favor of leaders and officials, the prominent and the elite. It is an unfortunate bias because it runs counter to the important democratic assumption that statements made by ordinary citizens are as valuable as statements made by the prominent and the elite. In a democracy, public debate depends on separating individuals from their powers and privileges in the larger society; otherwise debate itself becomes a source of domination. But Edwards reinforces prominence as a news value, since the privilege of neutral reportage applies only to statements made by public figures. Edwards reinforces the use of official sources, official records, official channels. Tom Wicker underscored the bias of the Edwards case when he observed that "objective journalism almost always favors Establishment positions and exists not least to avoid offense to them."

Objectivity and the Politics of Newsmaking

Objectivity also has unfortunate consequences for the reporter, the individual journalist. Objective reporting has stripped reporters of their creativity and their imagination; it has robbed journalists of their passion and their perspective. Objective reporting has transformed journalism into something more technical than

intellectual; it has turned the art of story-telling into the technique of report-writing. And most unfortunate of all, objective reporting has denied journalists their citizenship; as disinterested observers, as impartial reporters, journalists are expected to be morally disengaged and politically inactive.

Journalists have become--to borrow Jim Carey's terminology--"professional communicators," a relatively passive link between sources and audiences. With neither the need nor the opportunity to develop a critical perspective from which to assess the events, the issues, and the personalities they are assigned to cover, the objective reporter tends to function as a translator--translating the specialized language of his or her sources into a language intelligible to a lay audience.

In his frequently cited study of Washington correspondents--a study published nearly 50 years ago--Lee Rosten found that a "pronounced majority" of the journalists he interviewed often considered themselves inadequate to cope with the bewildering complexities of our nation's policies and politics. As Rosten described them, the Washington press corps was a frustrated and exasperated group of prominent journalists more or less resigned to their role as mediators, translators. "To do the job," one reporter told Rosten, "what you know or understand isn't important. You've got to know whom to ask." Even if you don't understand what's being said, Rosten was told, just take careful notes and write it up verbatim.

"Let my readers figure it out. I'm their reporter, not their teacher."

That was fifty years ago. Today--it's pretty much the same thing. Two years ago another study of Washington correspondents was published--a book by Stephen Hess called The Washington Reporters. For the most part, Hess found, stories coming out of Washington were little more than a "mosaic of facts and quotations from sources" who were participants in an event or who had knowledge about the event. Incredibly, Hess found that for nearly three-quarters of the stories he studied, reporters relied on no documents--only interviews. And when reporters did use documents, those documents were typically press clippings--stories they wrote or stories written by their colleagues.

And so what does objectivity mean? It means that sources supply the sense and substance of the day's news. Sources provide the arguments, the rebuttals, the explanations, the criticism. Sources put forth the ideas while other sources challenge those ideas. Journalists, in their role as professional communicators, merely provide a vehicle for these exchanges.

But if objectivity means that reporters must maintain a healthy distance from the world they report, the same standard does not apply to publishers. According to Sigma Delta Chi's code of ethics, "Journalists and their employers should conduct their personal lives in a manner which protects them from conflict of interest, real or apparent." Many journalists do just that--they avoid even an

appearance of a conflict of interest. But certainly not their employers.

If it would be a conflict of interest for a reporter to accept, say, an expensive piano from a source at the Steinway Piano Company, it apparently wasn't a conflict of interest when CBS purchased the Steinway Piano Company.

Publishers and broadcasters today are part of a large and growing industry, an increasingly diversified industry. Not only are many newspapers owned by corporations which own a variety of non-media properties, but their boards of directors read like a who's who among the powerful and elite. A recent study of the 25 largest newspaper companies found that the directors of these companies tend to be linked with "powerful business organizations, not with public interest groups; with management, not with labor; with well established think tanks and charities, not their grassroots counterparts."

But publishers contend that these connections have no bearing on how the day's news is reported--as though the ownership of a newspaper has no bearing in the newspaper's content; as though business decisions have no effect on editorial decisions; as though it wasn't economic considerations in the first place that brought about the incentives for many of the conventions of contemporary journalism.

Objectivity and the Amoral ity of Journalism

To question the value of objectivity is not necessarily to

question the value of fair reporting or to question the value of a reporter's integrity. As I said at the outset, by objectivity I mean something broader and more encompassing than impartiality and fairness.

No doubt the press has responded to many of the more serious consequences of objective reporting. But what is significant is that the response has been to amend the conventions of objectivity, not to abandon them. The press has only refined the canons of objective reporting; it has not dislodged them.

What remains fundamentally unchanged is the journalist's naively empirical view of the world, a belief in the separation of facts and values, a belief in the existence of a reality--the reality of empirical facts. Nowhere is this belief more evident than when news is defined as something external to--and independent of--the journalist. The very vocabulary used by journalists when they talk about news underscores their belief that news is "out there," presumably waiting to be exposed or uncovered or at least gathered.

This is the essence of objectivity, and this is precisely why it is so very difficult for journalism to consider questions of ethics and morality. Since news exists "out there"--apparently independent of the reporter--journalists can't be held responsible for it. And since they are not responsible for the news being there, how can we expect journalists to be accountable for the consequences of merely reporting it?

What objectivity has brought about, in short, is a disregard for the consequences of newsmaking. A few years ago Walter Cronkite offered this interpretation of journalism: " I don't think it is any of our business what the moral, political, social, or economic effect of our reporting is. I say let's go with the job of reporting--and let the chips fall where they may."

Contrast that to John Dewey's advice: That "our chief moral business is to become acquainted with consequences."

I am inclined to side with Dewey. Only to the extent that journalists are held accountable for the consequences of their actions can there be said to be a responsible press. But we are not going to be able to hold journalists accountable for the consequences of their actions until they acknowledge that news is their creation, a creation for which they are fully responsible. And we are not going to have much success convincing journalists that news is created, not reported, until we can successfully challenge the conventions of objectivity.

The task before us, then, is to liberate journalism from the burden of objectivity by demonstrating--as convincingly as we can--that objective reporting is more of a custom than a principle, more a habit of mind than a standard of performance. And by showing that objectivity is largely a matter of efficiency--efficiency that serves, as far as I can tell, only the needs and interests of the owners of the press, not the needs and interests of talented writers and certainly not the needs and interests of the larger society.

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